

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BRAINTREE LABORATORIES, INC.,

Plaintiff,

v.

NOVEL LABORATORIES, INC.,

Defendant/Counterclaim
Plaintiff.

Civil Action No. 3:11-cv-01341 (PGS)
(LHG)

AMENDED NOTICE OF APPEAL

Amended notice is hereby given that Novel Laboratories, Inc. ("Novel") in the above-named case hereby appeals to the United States Court of Appeals for the Federal Circuit from the Final Judgment entered in this action on June 19, 2013, Dkt. No. 389, and all issues, rulings, and orders ancillary or subsidiary thereto, including but not limited to the following:

1. the Memorandum and Order entered on September 19, 2012, Dkt. No. 130 (claim construction);
2. the Summary Judgment Opinion and Order, entered on January 18, 2013, Dkt. Nos. 261 and 262, respectively (including the denial of Novel's motion to strike and motion pursuant to Fed. R. Civ. P. 56(e)(2));
3. the Order entered on February 5, 2013, Dkt. No. 332, (denying Novel's motion for reconsideration);

4. the Opinion and Order entered on June 4, 2013, Dkt. Nos. 380 and 381, respectively (judgment after bench trial finding the asserted claims not invalid); and

5. the Court's rulings concerning standing and inventorship, and evidence of SUCLEAR, which were made from the bench during the course of trial, but were not addressed in the June 4, 2013 Opinion and Order;

June 19, 2013
New York, New York

Respectfully submitted,

/s/ Hillel I. Parness
Hillel I. Parness
Ronald M. Daignault (*pro hac vice*)
David Leichtman (*pro hac vice*)
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Attorneys for Defendant Novel Laboratories, Inc.

CERTIFICATE OF SERVICE

I, Hillel I. Parness, hereby certify that on the 19th day of June, 2013, I caused a true and correct copy of this **AMENDED NOTICE OF APPEAL** to be served by ECF on all counsel of record.

Date: June 19, 2013

/s/ Hillel I. Parness

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